

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 12-22. Claims 12, 20 and 21 are amended herein. No new matter is presented. Claims 1-11 remain cancelled

Thus, claims 12-22 are pending and under consideration. The rejections are traversed below.

CLAIM REJECTIONS UNDER 35 USC §102:

In item 3 on page 2 of the Office Action the Examiner rejected claims 21 and 22 under 35 U.S.C. §102 as being anticipated by U.S. Patent Application Publication No. 2003/0156558 (Cromer).

Claim 21 recites, "storing a path between said first radio station and the radio access point, where the path is formed of at least one of the second radio stations and enabling data to be transferred from said first radio station to the radio access point and from the radio access point to said first radio station via the path" and "receiving and processing failure information about presence of a failure of the stored path, said storing of the path being prior to the processing failure information." Applicants respectfully submit that Cromer does not disclose or suggest at least this feature of claim 21. See also claim 22 reciting similar features.

Cromer discusses actions to be taken in case of a problem where the system switches straight to the next path which is stored in a table (see, paragraph 77).

Therefore, withdrawal of the rejection is respectfully requested.

CLAIM REJECTIONS UNDER 35 USC §103:

In item 5 on page 4 of the Office Action the Examiner rejected claims 12, 13, and 20 under 35 U.S.C. §103(a) as being unpatentable over Cromer in view of U.S. Patent Application Publication No. 2001/0036810 (Larsen).

Cromer and Larsen, alone or in combination, do not teach or suggest the claimed features of the invention for at least the reasons set forth below.

Independent claim 12 recites, "providing, path information about a path formed of at least one further radio station of the plurality of radio stations usable for a message transfer between the radio access point and the terminal radio station... prior to the message transfer", "learning, at the terminal radio station, about the requirement for the path information..." and "initiating at

the terminal radio station a method for determining a path", where "the terminal radio station located outside of direct radio transmission range of the radio access point." See also claim 20.

As mentioned above, Cromer does not disclose, teach or suggest that the path information about a path formed between the mobile station and the access point is provided to the access point.

Larsen does not add anything to the teachings of Cromer with respect to the claimed invention. Instead, Larsen describes a sequence of individual connections being set up between pairs of mobile stations in order to connect the original mobile station to the nodeB. The last connection is between a mobile station and the nodeB.

At paragraphs 172 to 179, Larsen describes how the connection between the mobile station MS_A and the nodeB is set up via a sequence of individual connections i.e. MS_A to MS_B, then from MS_B to MS_C and then from MS_C to nodeB. This mode and the corresponding messages are shown in figure 4. Each of the mobile station has a gradient table containing the best route towards nodeB.

In contrast, independent claim 12 provides the path information about the path determined between the mobile station and the network (i.e. radio access point) to the radio access point (asserted to be Larsen's nodeB).

At paragraphs 183 to 190, Larsen describes that a paging message from the nodeB is transmitted directly to the mobile station concerned. This indicates that the mobile station is located inside the direct radio transmission range of the nodeB. Thus, Larsen does not teach or suggest that the "terminal radio station is located outside of direct radio transmission range of the access point", as recited in claim 12.

In light of the above, Larsen does not cure the deficiencies of Cromer regarding claims of the present application. Specifically, Larsen and Cromer do not teach or suggest determination of a path usable for a message transfer between a radio access point and a terminal radio station, prior to the message transfer, where the determination of the path is initiated by the terminal radio station.

Further, even assuming arguendo that Larsen does disclose the features discussed by the Examiner, the Applicants respectfully submit that there is no motivation to combine the cited references. The Examiner stated that the combination of the references would be obvious to combine the packet transfer between mobile unit outside AP range in Cromer and relaying of

data between mobile stations and base stations by utilizing probe data to gather information of best routes for accessibility.

The record, however, fails to provide the required evidence of a motivation for a person of ordinary skill in the art to perform such modification. While Larsen may provide a reason for using the gradient table containing the best route, Cromer that only determines a path if there is no next path stored fails to suggest why a person of ordinary skill in the art at the time of the invention would be motivated to incorporate the gradient table containing the best routes towards a node such as discussed in Larsen.

Therefore, withdrawal of the rejection is respectfully requested.

DEPENDENT CLAIMS:

Claims depending from the independent claims include all of the features of that claim plus additional features which are not disclosed by Cromer and Larsen.

In item 6 on page 6 of the Office Action the Examiner rejected claims 14-19 under 35 U.S.C. §103(A) as being unpatentable over Cromer and Larsen in further view of U.S. Patent Application Publication No. 2004/0219878 (Raji).

Raji does not add anything to the teachings of Cromer and Larsen with respect to the claimed invention. Instead, Raji merely discusses a response of a target wireless system (remote wireless system) that corresponds to a path found between the source wireless system and the target wireless system.

For example, claim 18 recites, "said learning about the failure of the known path at the terminal radio station results from said sending of the test data to determine whether the failure exists in the known path." None of the cited references teach or suggest these features of the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 06/02/2011

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